

Notice of Allowability

Application No.

10/604,934

Examiner

Matthew Johnson

Applicant(s)

WAGNER ET AL.

Art Unit

3682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendments filed on 6/18/2007.
2. ☒ The allowed claim(s) is/are 1, 3, 5 and 8.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 8/27/2003
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


RICHARD RIDLEY
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Bruce E. Harang on 8/1/2007.

In the Abstract

- The Abstract is replaced as follows: -- A drive nut device having a drive nut and a drive nut mounting member formed of a single piece of material eliminating the need to align and fixedly attach a separate drive nut and drive nut mounting member together. The drive nut includes a bore that is threaded during the manufacture of a vertical drive apparatus such that the complete apparatus may be formed by machine. --

In the Specification

- In the last line of paragraph [0027], the phrase -- of the drive nut body 3, -- is inserted after the phrase "nominal material thickness".

In the Claims

- Claim 1 is replaced as follows: -- A drive nut device for use in allowing positional movement of a vehicle seat comprising:

a one-piece sheet steel drive nut body having a generally L-shape and further having a first end and a second end;

said first end having a bore for mounting to a seat movement member;

and said second end having a cantilevered extruded drive nut formed as part of the one-piece drive nut body, said cantilevered drive nut further characterized as having a wall thickness of about 50 percent to about 85 percent greater than the nominal thickness of said one-piece drive nut body, said cantilevered drive nut having a threaded bore passing through a longitudinal axis of said cantilevered drive nut and further having a longitudinal length predetermined to prevent undesired non-longitudinal axis movement of said drive nut device. --

- Claim 5 is replaced as follows: -- A vertical drive nut for use in allowing vertical positioning of a vehicle seat device comprising:

a one-piece sheet steel drive nut body having a generally L-shape and further having a first end and a second end;

said first end having a bore for mounting to a seat vertical movement member;

and said second end having a cantilevered extruded drive nut formed as part of the one-piece drive nut body, said cantilevered drive nut further characterized as having a wall thickness of about 50 percent to about 85 percent greater than the nominal thickness of said one-piece

drive nut body, said cantilevered drive nut having a threaded bore passing through a longitudinal axis of said cantilevered drive nut at substantially a right angle to said bore for mounting to the seat vertical movement member, said cantilevered drive nut further having a longitudinal length predetermined to prevent undesired non-longitudinal axis movement of said drive nut device. --

- Claims 10-20 are cancelled.

Allowable Subject Matter

2. Claims 1, 3, 5 and 8 are allowed.
3. The following is an examiner's statement of reasons for allowance: regarding claims 1 and 5, the prior art of record taken as a whole does not teach nor render obvious the claimed combination wherein comprising the second end having a cantilevered extruded drive nut formed as part of the one-piece drive nut body.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew Johnson whose telephone number is 571-272-7944. The examiner can normally be reached on Monday - Friday 8:30a.m. - 5:00p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Ridley can be reached on 571-272-6917. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MJ

MJ 8/2/2007



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